

United States District Court

SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

LUISA ALVAREZ, EDILMA BURITRAGO,
 MARIA CARDENAS, ARTURO CLARO,
 MANUEL CARO, FELICITO CEBALLOS,
 AMADO B. CHAVIANO, BARTOLO CONCEPCION,
 JOSE GUERRA, BOANERGE GUTIERREZ,
 CARLOS GUZMAN, HERMOGENES JAQUEZ,
 CARLOS JIMENEZ, CELIA MARTINEZ,
 RAFAEL QUEVEDO, JORGE RIOS,
 LUISA ROSALES-PANEQUE,
 ADRIANA SANCHEZ and PEDRO TREZZA,

CASE NO. 06-51-FJL

RECEIVED

[Signature]

2006 JUL -5 PM 5:03

CLARENCE HADDOX
 CLERK U.S. DIST. CT.
 S.D. OF FLA.-FT. PIERCE

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about May 8, 2006, through May 18, 2006, in St. Lucie County, in the Southern District of Florida and elsewhere, the defendant(s),

conspired to maintain a place to manufacture or distribute marijuana and maintained a place to manufacture or distribute marijuana,

in violation of Title 21 United States Code, Section(s) 856(a)(1) & 846.

I further state that I am a Special Agent, Drug Enforcement Administration, and that this Complaint is based on the following facts:

PLEASE SEE ATTACHED AFFIDAVIT.

Continued on the attached and made a part hereof: X YES NO

[Signature]

Richard G. LaRocca
 Special Agent
 Drug Enforcement Administration

Sworn to before me, and subscribed in my presence,

July 5, 2006
 Date

at Fort Pierce, Florida
 City and State

FRANK J. LYNCH, JR.
UNITED STATES MAGISTRATE JUDGE
 Name and Title of Judicial Officer

[Signature]
 Signature of Judicial Officer

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US ATTORNEY FORT PIERCE

SEP-14-2006 14:11

**AFFIDAVIT
OF
SPECIAL AGENT RICHARD LA ROCCA
U.S. DRUG ENFORCEMENT ADMINISTRATION**

I, Richard La Rocca, being duly sworn, depose and state the following:

1. I am a Special Agent with the United States Drug Enforcement Administration and have been so employed since January of 2002. Prior to being employed by DEA, your affiant served seven years with the Sunrise Police Department, in the capacity of a narcotics detective. I have conducted and assisted in numerous investigations of controlled substances. The following information is based on my personal knowledge, as well as information provided to me in my official capacity. Where the statements of others are related herein, they are related in substance and in part are not verbatim. This affidavit is prepared for the purpose of establishing probable cause to secure a complaint and arrest warrants for individuals involved in the cultivation of marijuana in homes in St. Lucie County. This investigation is ongoing and therefore, this complaint does not contain all of the information known to me concerning the offense(s).

2. This investigation began on May 8, 2006, when police officers from the Port St. Lucie Police Department responded to a suspicious incident call, in the vicinity of 135 SW Glenwood Drive, Port St. Lucie, Florida. While investigating a report that a male armed with a machete was chasing another man, the police officers noticed a shattered sliding glass door at the residence of 135 SW Glenwood Drive, Port St. Lucie, Florida. The officers approached the shattered door and looked into the residence. At this time they saw a marijuana leaf on the ground outside the residence and apparent cannabis on an interior floor. During a safety sweep of the residence, the officers observed cannabis plants growing inside the residence.

3. A state search warrant for the residence at 135 SW Glenwood Drive, Port St. Lucie, Florida was obtained and during the execution of this search warrant on May 8, 2006, law enforcement officers discovered 39 marijuana root systems that appeared to have been recently harvested. Also discovered inside the residence were harvested marijuana and other items to support an indoor marijuana grow house including plant food and chemicals, grow lamps, ballasts as well as harvesting and grow equipment.

4. No subjects were located within the residence when this grow operation was discovered. However, Amado B. CHAVIANO

was apprehended near the rear of the 135 Glenwood Drive residence as he attempted to hide and then flee from police officers. CHAVIANO denied living at the residence and claimed he was from New Jersey. A records check revealed that CHAVIANO has a Florida Drivers License which listed 135 Glenwood Drive as his address. A property records check revealed that Manual CARO owns the residence at 135 Glenwood Drive. Records also revealed that Manual CARO resides at 6117 Ginger Lane in Port St. Lucie.

5. While detectives were executing the above search warrant on May 8, 2006 information was received from neighbor(s) that Manual CARO, the owner of the 135 Glenwood Drive home had moved from this address in January 2006. However, according to neighbor(s), after his departure, CARO returned to the residence approximately 20 times with the most recent return approximately seven to ten days ago.

6. The neighbor(s) also provided information regarding a near by single family residence at 155 SW Glenwood Drive, Port Saint Lucie, Florida. According to the neighbor(s), the residents from 135 W. Glenwood and the residents of 155 SW Glenwood Drive frequently visit each other. Police officers(s) began observing the premises and activity at 155 SW Glenwood Drive and, on May 8, 2006, saw a white van pull into the driveway and two Hispanic men (later identified as Hermogenes

JAQUEZ and Felicito CEBALLOS) unloading what appeared to be fertilizer, plant food and chemicals. As the two men began to leave the premises, police officer(s) approached them and obtained their consent to search the 155 SW Glenwood Drive residence. The consent to search was subsequently followed up with a search warrant.

7. CEBALLOS provided investigating officers with a key to the above residence. A fully operational indoor marijuana grow house including 29 marijuana plants was discovered during the search of the 155 SW Glenwood Drive residence. Further, during the search, paperwork was found inside the residence with the names of Manuel CARO and Luisa ROSALES-PANEQUE and an address listed as 6117 Ginger Lane, Port St. Lucie.

8. Further investigation revealed that Manuel CARO had a Florida Identifications Card and a Florida Driver License listing addresses at 135 Glenwood Drive and 6117 NW Ginger Lane in his possession. Consequently, on May 8, 2006, police made contact with Manuel CARO and his wife, Luisa ROSALES-PANEQUE at 6117 Ginger Lane. CARO gave police verbal consent for a search of the residence and in a bedroom closet police found two large cardboard boxes containing approximately 20 pounds of marijuana. At this juncture, a search warrant was obtained and when executed an additional two (2) pounds of marijuana were

discovered in the kitchen freezer(s). Furthermore, approximately \$2,000.00 dollars in US currency, a money counting machine, a digital scale, papers and receipts for construction/building materials with a delivery address of 6320 Ginger Street were discovered during the continued search of the residence. PVC pipes assembled into irrigation components were also discovered in the garage.

9. Manuel CARO and Luisa ROSALES-PANEQUE were interviewed separately. Post Miranda warnings, CARO advised, "It's all mine," and admitted that the 22 pounds of marijuana seized at the residence belonged to him. CARO did not give an explanation on how he obtained the marijuana or to why it was packaged in cardboard boxes. CARO also stated that he owns one other property at 135 Glenwood Drive but he denied any association to the 155 Glenwood Drive location. Luisa ROSALES-PANEQUE denied any involvement related to the marijuana recovered from her residence but did not give an explanation for why the marijuana was in the kitchen refrigerator and freezer. ROSALES-PANEQUE further advised that she observed the multiple-pounds of the substance, but did not know the substance was marijuana. ROSALES-PANEQUE advised she lives with CARO, and knows CARO to own or be associated with several properties to include: 135 Glenwood Drive and 155 Glenwood Drive. ROSALES-PANEQUE further

advised that the \$2,000.00 dollars in US currency seized from within the television cabinet was rent payment collected by ROSALES-PANEQUE, from one of CARO's apartment homes.

10. Further investigative leads involving mail and miscellaneous documents from within the 6117 Ginger Lane, 135 and 155 SW Glenwood Drive residences revealed that 6320 NW Ginger Street was possibly associated with the investigation. Therefore, law enforcement officers went to 6320 NW Ginger Street on May 8, 2006, where they observed tire markings indicating travel and/or parking at the rear of the residence. While following the tire markings to the rear of the residence and attempting to contact any residents, police officers could see items associated with indoor marijuana grow operations including sheets of corrugated foam boards, PVC pipes and a water pump. Police officers also determined that the utilities at this residence were in the name of Arturo CLARO.

11. A search warrant was obtained and executed and upon entry into the 6320 NW Ginger Street residence it was determined that the bedrooms consisted of an indoor marijuana grow operation with approximately 322 plants in various stages of growth. During the search of the kitchen freezer, approximately seven (7) pounds of high grade hydroponic marijuana were also found. A loaded firearm and ammunition were also found during

the search. Additionally, police officers found items and materials associated and similar to those found in other indoor marijuana grow houses, including a chipper with a marijuana plant stalk inside it. Documents and mail were also located within the residence including Home Depot receipts for Bartolo CONCEPCION with an address of 6320 Ginger Street, Manuel CARO with an address of 6117 NW Ginger Lane and Jorge RIOS with an Ginger Lane address.

12. Paperwork from 6117 Ginger Lane and 6320 Ginger Street and telephone cross referencing also revealed an additional residence located at 2549 SW Independence Road in Port St. Lucie, Florida. The paperwork included document(s) with the name of "Jorge RIOS" and local phone number. This phone number was listed to Jorge RIOS with a cross reference address of 2549 SW Independence Road.

13. On May 8, 2006, police officers following up on paperwork and the phone number from the 6320 NW Ginger Street and the 6117 Ginger Lane residences went to 2549 Independence Road where they detected the odor of marijuana coming from the garage. Officers made contact with Julissa SOTO-RIOS at the Independence address and obtained her consent to search the residence. During the search, police officers observed a fully operational grow with approximately 20 plants was located within

the master bedroom. Dried marijuana plants with stems and three black garbage bags containing marijuana were also discovered. After this initial find, police officers obtained and executed a search warrant at the residence. During this search, police officers searched the garage and discovered approximately 20 additional plants in full growth. Also located within the residence were additional documents and mail which revealed additional names and residences in Port St. Lucie, Florida.

14. While detectives and agents conducted the search of the above residence, Jorge RIOS, husband of Julissa RIOS-SOTO, arrived at the residence. After being advised of his Miranda rights, RIOS advised that the marijuana belonged to him and that his wife knew nothing about it.

15. Further investigative leads involving mail and miscellaneous documents from within the 6117 Ginger Lane residence revealed that 429 Cherry Hill Drive, Port St. Lucie, Florida was possibly involved with the above investigation. On May 9, 2006, law enforcement officer(s) approached the front door of this residence and detected the odor of marijuana coming from the house. A search warrant was obtained and the subsequent search revealed an indoor marijuana grow house with approximately 33 marijuana plants and other materials and chemicals related to the marijuana grow. Although nobody was

home at the time of the search, the following day, Rafael QUEVEDO summoned police to the residence and informed them that he was responsible for the indoor grow operation.

16. Further investigative leads involving mail and miscellaneous documents from the 6117 Ginger Lane and 6320 NW Ginger Street residences revealed that 150 SE Duval Avenue, Port St. Lucie, Florida was possibly involved with the above investigation. Police made contact with Bartolo CONCEPCION at his residence of 150 SE Duval Avenue on May 9, 2006 and obtained his consent to search the residence. During the consent search, an indoor marijuana grow operation was discovered. At this point a search warrant was obtained and upon execution of the search warrant, approximately 34 plants were seized as were additional items related to an indoor marijuana grow operations, including light bulbs, ballasts and grow fixtures. In a post Miranda statement, CONCEPCION advised that he had been recruited to get involved in the marijuana grow house and gave further details about his involvement in maintaining the grow house.

17. Also discovered during the search of 6117 Ginger Lane were additional documents listing a residence of 6507 Student Way, Ft. Pierce, Florida. Law enforcement agents approached the residence on May 8, 2006, and knocked on the front door, identifying themselves as law enforcement officers. A male

looked out, saw the law enforcement officers, refused to open the door and responded, "Go away." The officers smelled a strong odor of marijuana coming from inside the residence and noticed what appeared to be foam insulating boards, two (2) high intensity lights and other building materials inside the residence. The officers also noted that on the outside of the residence there were three (3) air conditioning units attached to the residence. These items/conditions are commonly used for and/or found in indoor marijuana grows. The officers could also detect movement and sounds within the residence that was indicative of flushing something down the toilet. A search warrant was secured and on the same date it was served. When entry was made, it was discovered that the bedrooms were converted into marijuana grow rooms to support approximately 63 cloned marijuana plants with root systems and an additional 21 marijuana plants. Pedro TREZZA and Carlos GUZMAN were inside the residence and it was apparent they were trying to destroy some of the evidence by flushing it down the toilet. The garage of the residence appeared to be a drying room for the marijuana plants.

18. Further follow up on documents discovered at the above mentioned grow house(s) revealed a possible indoor marijuana grow Operation located at 5407 Eastwood Road, Ft. Pierce,

Florida. On May 8, 2006, law enforcement officers went to the residence and Edilma BUITRAGO answered the front door. The officers detected a strong odor of raw marijuana coming from inside the residence, before and after the front door was opened by BUITRAGO. BUITRAGO was advised that police had information that she was growing marijuana in the residence. BUITRAGO did not answer and then put her head down. Police also observed a CO2 tank, an item commonly used in indoor marijuana grow operations. BUITRAGO was advised that a search warrant was going to be obtained for the residence and then a security sweep of the residence was conducted. During the protective sweep, police located a marijuana grow in a bedroom and the garage of the residence. On the same date, a search warrant was secured and executed. During the search of the residence approximately 16 marijuana plants were located in a bedroom. Also, twenty-two (22) grow blocks with marijuana stalks were located in the utility room. Numerous freezer bags and garbage bags with loose marijuana and stalks were located throughout the residence. Additional items evident of an indoor marijuana grow operation were discovered to include; high intensity grow lights, ballasts and CO2 tanks.

19. On May 9, 2006, law enforcement officers while following up on leads from other indoor marijuana grow houses,

received information of a possible indoor marijuana grow house located at 406 SW Tulip Blvd, Port St. Lucie, Florida. When law enforcement officers arrived at this residence, they detected strong odor of marijuana emanating from the residence and while standing at the front door of the residence, detectives could see evidence of a grow operation through a front window. A search warrant was prepared and executed at which time approximately 20 plants were seized from within the garage, along with five black garbage bags of marijuana stems, and two (2) five gallon buckets of marijuana. Additional items and documents related to indoor marijuana grow operations were also seized. No one was home at the time the search warrant was executed. However, records reveal that Boanerge GUTIERREZ is the resident at this address. Subsequent to the search, GUTIERREZ surrendered himself to the Port St. Lucie Police and admitted responsibility for the grow house at 406 SW Tulip Blvd, Port St. Lucie, Florida.

20. Investigative leads from the search warrant at 2559 SW Independence led law enforcement to 169 South Danville Circle, Port St. Lucie, Florida and on May 9, 2006, law enforcement officer(s) went to this residence and made contact with the homeowner, Carlos JIMENEZ and his wife, Adriana SANCHEZ. JIMENEZ gave his consent to search the residence and during the search,

an indoor marijuana grow operation was discovered. At this point a search warrant was obtained and upon execution of the search warrant, approximately 16 marijuana stalks hanging upside down were seized from within the drying room with similar root systems in pots. An additional 20 marijuana plants were found in another interior room. Additional items related to an indoor marijuana grow operation were also seized. In a post Miranda statement, JIMENEZ admitted the marijuana belonged to him but claimed that his wife, Adriana SANCHEZ was not involved. (During the search, JIMENEZ' wife, Adriana SANCHEZ and their infant child were at the residence.)

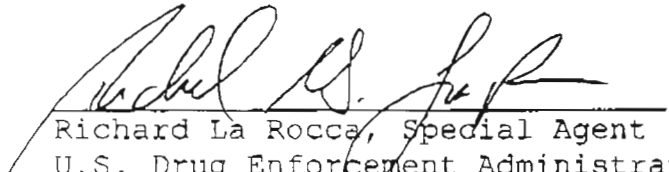
21. As the investigation into indoor grow houses continued, law enforcement officers learned that a Jose Guerra used to live at 150 SE Duval Street and now resided with his wife, Maria CARDENAS at 485 SW Byron Street, Port St. Lucie, Florida. Mail and miscellaneous paperwork from previous grow location(s) also linked the 485 SW Byron Street address to other grow houses. Consequently on May 9, 2006, law enforcement officers went to the 485 SW Byron Street residence, made contact with the homeowner, Jose GUERRA and obtained his consent to search the residence. During a preliminary search numerous marijuana plants were found in the garage along with additional air conditioning units and lighting equipment. At this

junction, a search warrant was obtained and executed. Approximately 45 plants were seized from the garage. Also seized were items related to an indoor marijuana grow operation. GUERRA admitted to the officers that he was responsible for the indoor marijuana grow operations in the garage.

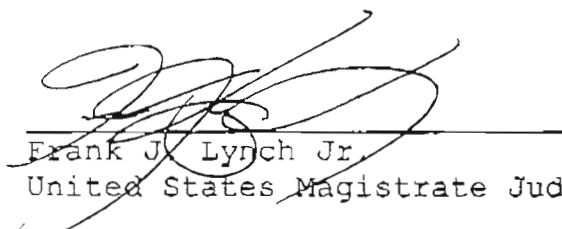
22. Celia MARTINEZ and Luisa ALVAREZ were at the 485 SW Byron Street residence when it was searched and the indoor marijuana grow was discovered. Follow-up investigation revealed that Celia MARTINEZ owns the residence at 485 SW Byron and that Celia MARTINEZ and Luisa ALVAREZ live at 214 NW Biltmore Street, Port St. Lucie, Florida. Consequently, on May 18, 2006, law enforcement officers went to 214 NW Biltmore Street and upon approaching the residence detected a strong odor of marijuana coming from the home. Police made contact with Luisa ALVAREZ who gave her consent to search the residence. When police found what appeared to be a room set up for the cultivation of marijuana, they obtained a search warrant. In executing the search warrant, a room converted to an indoor marijuana grow operation was discovered. Approximately 59 (fifty-nine) plants and several grow related items were seized from within this room. Police also found paperwork in the name of Celia MARTINEZ in ALVEREZ' bedroom. In a post Miranda Warnings, ALVAREZ admitted to full ownership of all items in the home and said the

operation had taken her approximately eight (8) months to put together. ALVAREZ was asked about MARTINEZ and she advised that MARTINEZ is her girlfriend and the homeowner, but ALVAREZ claimed they had a fight so ALVAREZ kicked her out.

Further your affiant sayeth naught.


Richard La Rocca, Special Agent
U.S. Drug Enforcement Administration

Sworn and subscribed before me, this 5 day of July 2006.


Frank J. Lynch Jr.
United States Magistrate Judge